



20 FEB 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Shelley P.M. Fussey
Williams, Morgan & Amerson
7676 Hillmont, Suite 250
Houston, TX 77040

In re Application of
ROY, Arun K. et al.
Application No.: 10/009,420
PCT No.: PCT/US00/15243
Int. Filing Date: 02 June 2000
Priority Date: 04 June 1999
Attorney Docket No.: 4003.002300

For: ESTROGEN RECEPTOR SITE-SPECIFIC
RIBOZYMES AND USES THEREOF FOR
ESTROGEN DEPENDENT TUMORS

DECISION ON
PETITION
UNDER 37 CFR 1.181

This decision is in response to applicants' "Renewed Petition Under 37 C.F.R. §1.181," filed with the United States Patent and Trademark Office on 03 February 2003.

BACKGROUND

On 02 June 2000, applicants filed international application PCT/US00/15243. A demand for international preliminary examination was filed 04 January 2001, prior to the expiration of nineteen months from the priority date. The deadline for entry into the national stage in the United States was thirty months from the priority date, or 04 December 2001.

On 08 March 2002, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b), a sequence listing and a computer readable format were required.

On 06 May 2002, applicants submitted, "Response to Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) Mailed March 08, 2002."

On 01 August 2002, applicants submitted a petition accompanied by a postcard receipt that lists a declaration and a disk.

On 08 November 2002, applicants submitted a replacement computer readable format.

On 15 January 2003, the Office mailed Decision On Petition Under 37 CFR 1.181, prior to 08 November 2002 submission being matched with the application.

On 03 February 2003, applicants submitted the instant renewed petition.

On 10 February 2003, the Office mailed Decision On Petition Under 37 CFR 1.181.

DISCUSSION

As indicated in the 10 February 2003 Decision on Petition, the 08 November 2002 computer readable format has been matched with the application. As such, applicants' instant petition is moot.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.181 is **DISMISSED AS MOOT**.

The time set in the 15 January 2003 decision to furnish a declaration in compliance with 37 CFR 1.497(a)-(b) continues to run from the mailing of that decision, namely 15 January 2003.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of this letter marked to the attention of the Office of PCT Legal Administration.



Leonard E. Smith
PCT Legal Examiner
PCT Legal Administration



Erin M. Pender
Attorney Advisor
PCT Legal Administration

Telephone: (703) 305-0455
Facsimile: (703) 308-6459